

HOUSE BILL 725

By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 4, to create a Tennessee commission on Middle Passage education.

WHEREAS, the general assembly finds and declares that:

(1) From the start of the transatlantic slave trade early in the 1500's to 1870, documented evidence estimates that 20-30 million Africans were involuntarily taken from Africa's shores and that 10-15 million died during the Middle Passage;

(2) The Middle Passage was a horrific and terrifying psychological, social, and spiritual experience endured under the most atrocious conditions of human existence. Such conditions included extreme overcrowding "tween decks", inadequate ventilation, little to no sanitation, diseases such as yellow fever, suffocation, lice covered corpses, and having to exist in urine, blood, and human waste filled spaces smaller than that of a grave or in some cases stacked spoon-fashion on top of one another. In addition, "bed warming" or the raping of African girls/women, flogging with a "cat-o'-nine-tails", murder, and suicide were common occurrences. For those who survived the auction block, a life of involuntary servitude was guaranteed;

(3) The systematic dehumanization of African captives during the Middle Passage was in reality horrific, life threatening/life ending, nightmarish and an experience, which the captive could not avoid;

(4) All people should be educated to understand the horror of the Middle Passage and the economic, social, religious, and racial ideologies, which justified acts that defy the principles of what this country stands for;

(5) To expose the injustices of the Middle Passage and its aftermath, it is desirable to educate our citizens about these atrocities and the organizations,

businesses, governments, and people who created such a system of human and cultural destruction. It would also be desirable to investigate the possible multigenerational transmission of trauma related symptoms and behaviors resulting from the Middle Passage in light of today's social conditions and problems which negatively impact the African American community;

(6) It is the policy of the State of Tennessee that Middle Passage history is the proper concern of all people, particularly students enrolled in the schools, colleges and universities of the State of Tennessee;

(7) Programs, workshops, institutes, seminars and other teacher-training activities for the study of the Middle Passage and its aftermath should be instituted to educate teachers and students of this part of world history and American history;

(8) It is desirable to create a permanent state-level commission, which as an organized body, on a continuous basis, will survey, design, encourage and promote implementation of Middle Passage education and awareness programs in Tennessee and shall be responsible for organizing and promoting the memorialization of the Middle Passage on a regular basis, throughout the State; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, is amended by adding the following as a new chapter:

4-53-101.

The Tennessee commission on Middle Passage education is created and established in the executive branch of the state government. It shall be independent, except for administration and finance.

4-53-102.

The commission shall consist of members including: a senator appointed by the speaker of the senate and a representative appointed by the speaker of the house of representatives; the commissioner of education; a vice chancellor of the University of Tennessee and a vice president of the board of regents; and twelve (12) public members appointed by the governor. The public members shall be Tennessee residents, with due regard to broad geographic representation, who have served prominently as spokespersons for, or as leaders of organizations that serve members of, religious, ethnic, national heritage or social groups that were subjected to slavery, torture, wrongful deprivation of liberty or property, and other forms of human rights violations as part of the Middle Passage.

4-53-103.

Each public member of the commission shall serve for a term of three (3) years. Public members shall be eligible for reappointment. They shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified. A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

4-53-104.

The members of the commission shall serve without compensation, but they shall be entitled to reimbursement for all necessary expenses incurred in the performance of their duties, in accordance with the comprehensive state travel regulations.

4-53-105.

The commission shall have a chair appointed by the governor for a three-year term. It shall meet upon the call of the chair or of a majority of the commission members. The presence of a majority of the authorized membership of the commission shall be required for the conduct of official business.

4-53-106.

The commission shall appoint an executive director, who shall serve at its pleasure and shall be a person qualified by training and experience to perform the duties of the office.

4-53-107.

The commission has the responsibility and duty to:

(1) Provide, based upon the collective knowledge and experience of its members, assistance and advice to the public and private schools, colleges and universities with respect to the implementation of Middle Passage education and awareness programs;

(2) Meet with appropriate education officials and other interested public and private organizations, including service organizations, for the purpose of assisting with the planning, coordination or modification of courses of study dealing with the subject of the Middle Passage;

(3) Survey and catalog the extent and breadth of Middle Passage and slavery education presently being incorporated into the curricula and taught in the educational systems of the state and inventory those Middle Passage memorials, exhibits and resources that could be incorporated in courses of study at various locations and other educational agencies in the development and implementation of Middle Passage education programs. In furtherance of this responsibility, the commission is authorized to contact and cooperate with existing Middle Passage and slavery-related public or private nonprofit resource organizations;

(4) Coordinate events memorializing the Middle Passage and seek volunteers who are willing and able to participate in commemorative events that will enhance public awareness of the significance of the Middle Passage; and

(5) Prepare reports for the governor and the general assembly regarding its findings and recommendations to facilitate the inclusion of Middle Passage studies and special programs memorializing the Middle Passage in educational systems in the state.

4-53-108.

(a) The commission is authorized to call upon any department, office, division or agency of the state, to supply such data, program reports and other information, personnel, and assistance as it deems necessary to discharge its responsibilities under this chapter.

(b) These departments, offices, divisions and agencies shall, to the extent possible and not inconsistent with any other law of this state, cooperate with the commission, and shall furnish it with such information, personnel and assistance as may be necessary or helpful to accomplish the purposes of this chapter.

4-53-109.

(a) The commission is hereby authorized to create a not-for-profit corporation to raise funds, and develop, manage, and implement the plans and programs of the commission relating to the Middle Passage.

(b) The commission is authorized to select a name for the corporation. The corporation shall have its own board of directors, which shall consist of the members of the commission, a representative appointed by the governor, and a representative of the attorney general and reporter. The board may select its own chair with the approval of the chair of the commission.

(c) After proper incorporation, the not-for-profit corporation is authorized and directed to apply for tax-exempt status under § 501(c)(3) of the Internal Revenue Code, codified in 26 U.S.C. § 501(c)(3).

(d) In addition to funds received from the general public, the corporation may receive funds from the state at such times and in such amounts as appropriated by the general assembly to be used for its tax-exempt purposes.

(e) Upon its incorporation, the not-for-profit corporation shall be responsible for implementing such programs as the commission plans. The not-for-profit corporation may hire such support staff and name such advisory groups or steering committees as necessary to assist in the promotion, coordination, and implementation of and fundraising for the comprehensive program developed by the commission.

SECTION 2. Tennessee Code Annotated, Section 4-29-230(a), is amended by adding the following new item:

() Tennessee commission on Middle Passage education;

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.